

NEWS



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NATIONALLY RECOGNIZED LAW FIRM PROVIDES PRO BONO DEFENSE OF GUN SAFETY ORDINANCE

SUNNYVALE, Calif. – The City of Sunnyvale has accepted an offer from the San Francisco-based law firm of Farella Braun + Martel LLP to provide pro bono legal defense services related to the City's new gun safety ordinance that went into effect December 6. The ordinance contains new requirements related to 1) reporting the loss or theft of firearms, 2) safe storage of firearms within residences, 3) prohibiting large-capacity magazines and 4) recordkeeping requirements for ammunition sales.

On December 10, a lawsuit was filed by Robert C. Wright of Wright & L'Estrange on behalf of National Shooting Sports Foundation, U.S. Firearms and its principal Eric Fisher. U.S. Firearms is a gun shop located in Sunnyvale. The lawsuit alleges that the requirement that fire arms dealers log and record ammunition purchases for use by law enforcement is preempted by state law and a violation of the Second Amendment. The first action by U.S. Firearms is the attempt to seek a temporary restraining order against the requirement to register and track all ammunition sales.

"Voters in Sunnyvale passed Measure C in November by a substantial majority, establishing reasonable and sensible restrictions – within the existing Constitutional framework – aimed at curbing gun violence. We plan to vigorously defend the City in this important matter," said Tony Schoenberg, attorney with Farella who will lead the legal team working on the case. Farella is a highly regarded law firm with practices and lawyers recognized as some of the best in the country as well as a long-standing commitment to the community through pro bono work. In 2009 and 2010, the Legal Community Against Violence recognized the firm for its "Outstanding Pro Bono Contribution."

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The Legal Community Against Violence – now named the Law Center to Prevent Gun Violence – is a non-profit organization focused on providing comprehensive legal expertise in support of gun violence prevention and the promotion of smart gun laws. The City referred to some of the Center’s model gun laws when drafting Measure C.

“Our community spoke loud and clear that we want to do what we can to prevent gun violence,” said Sunnyvale Mayor Anthony (Tony) Spitaleri. “The threats of lawsuits and defense costs didn’t stop them from doing what they felt was right and now we have one of the best law firms in the country prepared to defend us.”

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